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Japan Airlines International Co., Ltd.

FILED
DISTRICT COURT OF GUAM
NOV 28 2006 
MARY L.M. MORAN
CLERK OF COURT

IN THE DISTRICT COURT OF GUAM

ROBERTO J. DEL ROSARIO and
MELANIE DEL ROSARIO,

Plaintiffs,

vs.

JAPAN AIRLINES INTERNATIONAL
CO., LTD.,

Defendant.

CIVIL CASE NO. CIV04-00028

**DECLARATION OF ELYZE
MCDONALD REGARDING JAPAN
AIRLINES INTERNATIONAL CO.,
LTD.'S PAYMENT OF SETTLEMENT
PROCEEDS; DECLARATION OF
SERVICE**

I, Elyze McDonald, declare under penalty of perjury the following:


1. I am counsel for Defendant Japan Airlines International Co. Ltd.
2. I am currently in Chicago, Illinois, and am not present in Guam to file an original signature page of this Declaration.
3. I submit this Declaration in support of JAL's Memorandum Regarding Settlement.
4. On or about November 13, 2006, I spoke with current Counsel for Plaintiff Roberto Del Rosario, Howard Trapp.

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5. We discussed the issue of the payment of interest on the settlement proceeds of \$175,000. Mr. Trapp told me that his client conceded that he was not entitled to interest because he - not JAL - was appealing the Magistrate's decision that the settlement agreement was valid.

6. Furthermore, this discussion arose from Mr. Trapp's request that JAL agree not to oppose Mr. Del Rosario's request for an extension of thirty days to file his Appellate Brief before the Ninth Circuit. *Mr. Trapp stated that JAL would not be harmed by such an extension because Mr. Del Rosario was not claiming interest on the settlement proceeds.* On this basis, JAL agreed to an extension of thirty days for Mr. Del Rosario to file his Appellate Brief.

Executed this 27th day of November 2006.



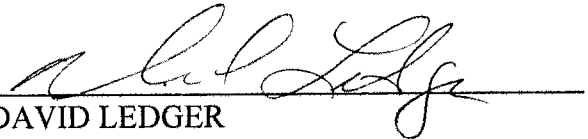
ELYZE McDONALD

DECLARATION OF SERVICE

I, David Ledger, hereby declare under penalty of perjury of the laws of the United States, that on the 28th day of November 2006, I will cause to be served, via hand delivery, a true and correct copy of the DECLARATION OF ELYZE McDONALD REGARDING JAPAN AIRLINES INTERNATIONAL CO., LTD.'S PAYMENT OF SETTLEMENT PROCEEDS; DECLARATION OF SERVICE upon Plaintiffs Counsel of record as follows:

Howard Trapp, Esq.
Howard Trapp Incorporated
200 Saylor Building
139 Chalan Santo Papa
Hagåtña, Guam 96910

Executed this 28th day of November 2006 at Hagåtña, Guam.


DAVID LEDGER